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**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re: ROCHESTER DRUG CO-OPERATIVE, INC. Debtor.	Chapter 11 Case No. 20-20230 (PRW)
Advisory Trust Group, LLC, as trustee of the RDC LIQUIDATING TRUST, Plaintiff, v. NEPHRON PHARMACEUTICALS CORPORATION, Defendant.	Adv. Proc. No. 22-02069 (PRW)

STIPULATION OF DISMISSAL OF ADVERSARY PROCEEDING

Plaintiff Advisory Trust Group, LLC, in its capacity as the Liquidating Trustee of the RDC Liquidating Trust (the “**Liquidating Trustee**”), and Defendant Nephron Pharmaceuticals Corporation (the “**Defendant**”, and together with the Liquidating Trustee, the “**Parties**”), hereby stipulate as follows:

RECITALS

A. On February 3, 2022, the Liquidating Trustee initiated the instant adversary proceeding by filing the *Complaint for Avoidance and Recovery of Preferential Transfers and Objection to Claims* (the “**Complaint**”) against Defendant, which was designated Adversary Proceeding Number 22-02069 (PRW) (the “**Adversary Proceeding**”).

B. On April 14, 2022, Defendant filed an Answer to the Complaint [Docket No. 16].

C. On April 14, 2022, the Court entered its *Order Setting Rule 16 Conference* [Docket No. 17] (the “**Rule 16 Conference**”).

D. On May 25, 2022, the Rule 16 Conference was held, wherein the Court determined that a continuation of the Rule 16 Conference was appropriate, and, as such, on the same day, the Court entered an order continuing the Rule 16 Conference to June 8, 2022 [Docket No. 21] (the “**Continued Rule 16 Conference**”).

E. Prior to the Continued Rule 16 Conference, the Parties entered into a settlement agreement that resolved the claims asserted in the Adversary Proceeding.

STIPULATION

1. The Parties hereby stipulate, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, made applicable to this adversary proceeding by Rule 7041 of the Federal

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Rules of Bankruptcy Procedure, to the dismissal with prejudice of the Adversary Proceeding, with each party to bear its own attorneys' fees and costs.

STIPULATED AND AGREED:

Dated: June 2, 2022

Dated: June 2, 2022

PACHULSKI STANG ZIEHL & JONES LLP

NEXSEN PRUET, LLC

/s/ Ilan D. Scharf

/s/ Carl H. Petkoff

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Counsel to Plaintiff RDC Liquidating Trust

*Counsel to Defendant Nephron
Pharmaceuticals Corporation*

SO ORDERED

DATED: _____, 2022
Rochester, New York

HON. PAUL R. WARREN
United States Bankruptcy Judge